

# **TOWN OF WEARE BUILDING AND PERMIT ORDINANCE**

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# **TOWN OF WEARE**

## **BUILDING AND PERMIT ORDINANCE**

### **ARTICLE 1**

- 1.0 **BUILDING PERMITS**: No building or addition shall be constructed, renovated, or altered in the Town of Weare by any person, agency, firm or corporation unless said person, agency, firm or corporation shall first file with the Town Building Inspector an application for a building permit and obtain a building permit.

**NOTE: Building Defined:** House, shed, garage, chicken coop, pole barn, or any other structure, which must comply with all zoning regulations as well as building codes.

- 1.1 The application shall contain the following information:

1.1.1 General specification of the proposed building or new construction.

1.1.2 A plat drawn to scale showing the actual dimensions of each lot to be built upon, and the size and location of each building. Each plat shall include the Tax Map number for each parcel.

1.1.3 Intended use of building.

1.1.4 Estimated cost of building or new construction.

1.1.5 New Hampshire Water Supply & Pollution Control Approval for construction number must appear on the building permit application. An approval for operation must be issued by NHWSPCC and received by the Building Inspector before the dwelling can be occupied.

1.1.5.1 Installation, Repair and Replacement of Existing Septic Systems: Septic systems shall be installed, replaced or repaired only with a State of New Hampshire Department of Environmental Services approved septic system plan.

1.1.5.2 Waterfront Property Site Assessment Study: Pursuant to Env-Ws 1025.01 and RSA 485-A:39, prior to the execution of a purchase and sale agreement for any developed waterfront property the owner shall have a site assessment study performed, which shall include an on-site inspection. The assessment shall be documented by completion and submission to the Town of Weare, Building Department on a "Site Assessment Form" by a permitted designer.

1.1.6 An application for a Certificate of Compliance must be filed with the Town Building Inspector.

1.1.7 If property on which a new building is to be located is situated on a Town road, a driveway permit is required.

1.1.8 Such other information as the Building Inspector may require.

- 1.2 A building permit shall be required for each dwelling unit, non-residential building, or renovations to same. A dwelling unit is a building, mobile or modular structure, or a portion of any, containing normal housekeeping facilities of one family and designed or intended for residential purposes.
- 1.2.1 If the Town of Weare receives any building plans for commercial buildings, the Building Inspector has the authority to have them sent to an outside firm to be reviewed at the applicant or landowner's expense.
- 1.3 A building permit shall be valid for twelve (12) months unless active construction has begun during that period. **A building permit may not be transferred or otherwise assigned.**
- 1.4 Upon receipt of a completed building permit application by the Building Inspector, and payment of all required fees, unless the Building Inspector makes a determination that said building is not in the interest of the general health, safety and welfare of the community, he shall forthwith issue the building permit to the person or persons filing the application. The permit shall be visibly displayed by the person or persons at the site of said construction.
- 1.5 A building or other structure may be found to be hazardous to the general health, safety, and welfare of the community if it does any of the following:
  - 1.5.1 Creates an unreasonable risk of lowering the natural quality of its surroundings.
  - 1.5.2 Presents an unreasonable susceptibility to fire or explosion.
  - 1.5.3 In any way involves the transporting of a potentially dangerous material on public roadways within the Town of Weare.
  - 1.5.4 In any way endangers the public health.
  - 1.5.5 Results in any annoyance or discomfort to the public.

## ARTICLE 2

### 2.0 BUILDING INSPECTOR

- 2.1 The Board of Selectmen shall appoint a Building Inspector who will be charged with making necessary inspections of all buildings, renovations, alterations, or additions; keep official records of inspections, notices, and orders issued, and issue occupancy permits after construction is completed.
- 2.2 The Building Inspector shall serve as a Code Enforcement Officer to enforce the Town of Weare Building Code. The Building Inspector shall function with all the responsibilities and authority as provided in Title LXIV, New Hampshire Revised Statutes Annotated.

## ARTICLE 3

- 3.0 OCCUPANCY PERMITS: The Building Inspector shall, after completing all necessary inspections to any building, renovation, alteration, or addition, issue an Occupancy Permit to the owner of record of the structure which will allow the person, persons, agency or firm, or corporation to occupy the building.
- 3.1 CERTAIN FEES: Fees for fire protection; offsite improvements and impact fees as specified in other ordinances, shall be collected at the time when the building permit fee is collected.

## ARTICLE 4

- 4.0 ADOPTION OF CERTAIN BUILDING AND LIFE SAFETY CODES BY REFERENCE, PURSUANT TO RSA 674:52.
- 4.1 ADOPTION OF THE BOCA NATIONAL BUILDING CODE 1993  
That a certain document, three (3) copies of which are on file in the office of the Town Clerk, in the office of the Board of Selectmen, and in the office of the Building Inspector of the Town of Weare, being marked and designated as “The BOCA National Building Code 12<sup>th</sup> Edition, 1993” as published by the Building Officials and Code Administrators International be and is hereby adopted as the Building Code of the Town of Weare in the State of New Hampshire; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Building Code, are hereby referred to, adopted and made a part hereof as it fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in the following sections of this ordinance:
- 4.1.1 Additions, Insertions and Changes: The following sections are hereby revised as follows:
- 4.1.2 Section 101.1 insert “Town of Weare”.
- 4.1.3 Section 112.3.1 insert: (insert here existing fee schedule for the Building and Permit Ordinance, Town of Weare).

## FEE SCHEDULE

The Building Permit fee for new construction, moving or renovating structures and for demolition of all or part of structures is based on the total cost of the work being done. The fee rate shall be \$6.00 per \$1,000 worth of construction and demolition value. The fee shall be rounded up to the nearest \$1.00, with the minimum permit fee being \$15.00. For Zoning Change of Use Permit where no construction is being done, the permit fee shall be \$15.00.

For ***contract work***, the building permit fee shall be based on all contract costs associated with the total construction project. Such costs shall include, but not be limited to: pile driving, foundations, structural and nonstructural framing, interior finish (as regulated by this code), fire protection systems and any other work which would render the building complete and ready for occupancy. Separate permits shall be issued for electrical, plumbing, gas piping and fire protection systems as outlined elsewhere in this code.

For ***non-contract work***, such as when a homeowner furnishes his own, or has furnished free labor, but purchased the materials, the fee shall be based on the actual cost of all materials with a multiplier of two (2) applied. For example: total materials of \$5,000; ( $\$5,000 \times 2 = \$10,000$ ) the permit fee would therefore be \$60.00 ( $10 \times 6$ ). When there is a disagreement between the applicant and the code official in determining an appropriate fee using either or the above methods, the code official shall then use the latest "Building Valuation Data Report" as published periodically by BOCA International, to determine the building permit fee. The permit fee will then be based on this assessment. Permits issued to or for, the Town of Weare are exempt from the above fees.

FEE FOR MANUFACTURED HOUSING (REF. RSA 674:31 DOES NOT INCLUDE  
RSA 674:31-A) WILL BE PER APPROPRIATE INSPECTIONS.

## MISC PERMIT FEE SCHEDULE

Signs BOCA 29	\$ 15.00
Oil/Gas Burners - NFPA 31	\$ 30.00
Solid Fuel/Space Heating - NFPA 211	\$ 30.00
Docks & Ramps - NHDES F&D	\$ 25.00
Chimneys - NFPA 211	\$ 30.00
Review of Septic Plans	\$ 15.00
Repaired Septic Systems - NHDES Env-Ws 1000	\$ 50.00
Swimming Pools      a. above ground	\$ 40.00
b. in ground	\$ 60.00
Installation of fuel storage tanks - NFPA 30	\$ 35/each
Plumbing as per fee schedule	
Electrical as per fee schedule	
Demolition	\$ 35.00
Re-inspection fee (after second re-inspection)	\$ 30.00
Zoning Change of Use	\$ 15.00

A PERMIT IS REQUIRED FOR ALL WORK - no fee for construction under \$1000.00.

## **ELECTRICAL PERMIT FEE SCHEDULE**

APPLICATION FEE (Non-Refundable) ..... \$ 6.00

### **DISTRIBUTION**

Service, per amp..... \$ 0.07  
Generators, including automatic transfer switches:  
    Up to 10 k.v.a capacity..... \$ 10.00  
    Over 10 k.v.a. up to 15 k.v.a..... \$ 15.00  
Transformers, Rectifiers, (Primary & Secondary) Batteries:  
    Up to 10 k.v.a..... \$ 4.00  
    Over 10 k.v.a up to 15 k.v.a..... \$ 6.00  
    Over 15 k.v.a up to 20 k.v.a..... \$ 8.00  
    Over 20 k.v.a up to 25 k.v.a..... \$ 10.00  
    Over 25 k.v.a up to 30 k.v.a..... \$ 12.00  
    Over 30 k.v.a capacity..... \$ 20.00  
Ground Fault Protection for 1000 Amp or Greater Service..... \$ 12.00  
Panels, Subpanel and Auxiliary Panels..... \$ 50.00  
Temporary Service..... \$ 6.00  
Meter Socket..... \$ 50.00  
Meter Socket Re-inspection (Campgrounds)..... \$ 25.00  
Hot Tubs..... \$ 15.00

### **FIXTURES, OUTLETS AND SWITCHES**

Switches, Receptacles, Fixtures, Outlets and Smoke Detectors:  
    1 to 10 items (each)..... \$ 0.50  
    More than 10 items (each)..... \$ 0.25  
Outlets for Ranges, Hot Plates, Dryers, Welders, Air Conditioners &  
Similar heating devices including Hot Water Heaters..... \$ 4.00  
Power Outlets including those for Data Processing Equipment..... \$ 6.00

### **EQUIPMENT**

Electric Heaters per Room..... \$ 3.00  
Electric Furnaces, Boilers & Heat Pumps..... \$ 6.00  
X-Ray Machines & Related Equipment..... \$ 10.00

### **MOTORS**

All fractional hp..... \$ 2.00  
Over 1 hp up to 3 hp..... \$ 4.00  
Over 6 hp up to 10 hp..... \$ 6.00  
Over 10 hp up to 15 hp..... \$ 8.00  
Over 15 hp up to 20 hp..... \$ 10.00  
Over 20 hp..... \$ 20.00

Fire & Security Alarm panels, Annunciator Panels..... \$ 6.00

Nurses Call System..... \$ 6.00

Electric Signs..... \$ 3.00

## PLUMBING PERMIT FEE SCHEDULE

APPLICATION FEE (Non-Refundable)..... \$ 6.00

### FIXTURES & EQUIPMENT

Tub & Shower Combination.....	\$ 4.00
Sink.....	\$ 2.00
Water Closet.....	\$ 4.00
Lavatory.....	\$ 2.00
Laundry Tray.....	\$ 2.00
Floor Drain.....	\$ 2.00
Drinking Fountain.....	\$ 3.00
Shower Stall.....	\$ 3.00
Urinal.....	\$ 3.00
Dish Washing Machine.....	\$ 3.00
Humidifier.....	\$ 2.00
Garbage Grinder.....	\$ 2.00
Clothes Washing Machine.....	\$ 3.00
Water Storage Tank 0-100 gallons.....	\$ 4.50
Water Storage Tank 101-150 gallons.....	\$ 6.00
Water Storage Tank 151-200 gallons.....	\$ 7.50
Water Storage Tank 201-300 gallons.....	\$ 9.00
Water Storage Tank 301-400 gallons.....	\$ 10.00
Water Storage Tank over 400 gallons.....	\$ 12.00
Grease Trap.....	\$ 7.00
Back flow Preventer.....	\$ 7.00

### SOIL STORM & VENT PIPE

1 ¼ inch to 6 inch diameter - per 100' or part thereof.....	\$ 6.00
6 inch diameter - per 100' or part thereof.....	\$ 12.00

### WATER PIPE

¼ inch to ¾ inch diameter - per 100' or part thereof.....	\$ 6.00
1 inch to 2 inch diameter - per 100' or part thereof.....	\$ 12.00

### PUMP & EJECTORS

Fractional hp.....	\$ 2.00
1 hp to 3 hp.....	\$ 4.00
Over 3 hp to 5 hp.....	\$ 6.00
Over 5 hp to 10 hp.....	\$ 8.00
Over 10 hp.....	\$ 12.00

- 4.1.4 Fee for Non-permitted Work: Any person who is found to have demolished constructed, altered, removed, or changed the use of a building or structure without the benefit of a building, electrical, plumbing, mechanical, or change of use permit shall, upon issuance of said permit(s), be assessed a permit fee of twice (2x) the normal rate outlined in Section 112.3.1 of this code, or twenty five dollars (\$25.00), whichever is greater. Example: cost of materials = \$15,392, labor = self; Permit fee = \$15,392 x 0.006 x 2 (self labor) x 2 (added fee) = \$369.41 = \$369.00.
- 4.1.5 All inspections must be completed within seventy-two (72) hours after the Building Inspector is notified of the need of an inspection of work completed.
- 4.1.6 An occupancy permit will be issued by the Building Inspector upon completion but prior to occupancy or use of the structure with all plumbing, electrical and heating equipment installed and operating.
- 4.1.7 The Building Inspector may make amendments to the fee schedule, and such new schedule shall become a part of this ordinance. Not less than thirty (30) days prior to the implementation of any fee schedule or any subsequent amendment under this section, the Building Inspector shall publish notice of same and conduct a public hearing.
- 4.1.8 The application for permit shall be accompanied by a certified plot plan (by NHRLS) for all new buildings and additions to existing buildings within the Town of Weare. The certified plot plan must show to scale the size and location of all new construction and all existing structures on the site, distances from lot lines, the established street grades and the proposed finish grades; and it shall be drawn in accordance with an accurate boundary line survey. This must be received prior to construction of foundation walls or framing atop concrete piers. In the case of demolition, the plot plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site or plot. Applicants for additions to existing buildings may request a waiver in writing to the Building Department (*adopted Sep. 2005*).
- 4.1.9 Delete section 116.4 in its entirety and replace with the following: 116.4 Violation Penalties: Any person who violates any provision of this code, or who shall fail to comply with any of the requirements or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person and shall be subject to a civil penalty not to exceed Two Hundred and Seventy Five Dollars (\$275.00) for each day that such violation is found to continue after the conviction date or after the date on which the violator, which ever is the earlier, all pursuant to New Hampshire RSA 676:17.
- 4.1.10 Delete section 117.2 Unlawful Continuance in its entirety and replace with the following: Any person who shall continue any work in or about the structure after having been served with a stop work order except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than the amounts prescribed in Section 116.4.
- 4.1.11 Deleted in 1993 code change.

- 4.1.12 Delete Section 121.1 through 121.7 inclusive pages 7 through 8 in their entirety.
- 4.1.13 Insert new Section 121 to read as follows: Section 121 Means of Appeal: Pursuant to New Hampshire RSA 673:1 (V) the Zoning Board of Adjustment shall serve as the Building Code Board of Appeals according to such regulations and procedures as the Zoning Board of Adjustment may adopt and establish in accordance with New Hampshire RSA 674:34 and RSA 676:1.
- 4.1.14 Deleted in 1993 code change.
- 4.1.15 Section 3408.2 page 310 first line after to: add September 1986.
- 4.1.16 *Adoption of the BOCA National Building Code 14<sup>th</sup> Edition, 1999 in 2000.*
- 4.1.17 *Adoption, by reference, pursuant to RSA 674:52, certain nationally recognized building codes including: the International Building Code/2000 Edition; the International Residential Code/2000 Edition; the International Mechanical Code/2000 Edition; the International Fire Code/2000 Edition; along with the currently adopted additions, insertions, deletions and changes to said code; and certain new additions, insertions, deletions and changes to these codes that have been made in order to conform these national building codes and ordinances with state laws, rules and regulations. March 2001.*
- 4.1.18 *State of New Hampshire Adoption of International Building Code 2009/Edition as of April 1, 2010 supersedes all previous codes.*
- 4.2 ADOPTION OF NFPA 101 LIFE SAFETY CODE 1997
- 4.2.1 That a certain document, three (3) copies of which are on file in the office of the Town Clerk, in the office of the Board of Selectmen, and in the office of the Building Inspector of the Town of Weare, being marked and designated as the “NFPA 101 Life Safety Code, (1997)” as published by the National Fire Protection Safety Code of the Town of Weare, and the State of New Hampshire, for the control of life and safety protection in buildings and structures as herein provided; and each and all of the regulations, provisions, conditions, and terms of the (NFPA 101 Life Safety Code, 1997), are hereby referred to, adopted and made a part hereof, as fully set out in this ordinance.

#### 4.3 ADOPTION OF THE INTERNATIONAL PLUMBING CODE 1995

- 4.3.1 That a certain document, three (3) copies of which are on file in the office of the Town Clerk, in the office of the Board of Selectmen, and in the office of the Building Inspector of the Town of Weare, being marked and designated as “The International Plumbing Code 1995 published by the Building Officials and Code Administrators International, be and is hereby adopted as the Plumbing Code of the Town of Weare, New Hampshire for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Plumbing Code are hereby referred, adopted and made a part hereof as they fully set out in this ordinance, with the additions, insertions and changes, of any, prescribed in the following sections of this ordinance.
- 4.3.2 Additions, insertions and changes: That the following sections are hereby revised as follows:
- 4.3.3 Section 101.1 (page 1, second line) insert: “Town of Weare, New Hampshire”.
- 4.3.4 Section 106.5.2 (page 4, third line) insert: “See Section 112.3.1 of the BOCA National Building Code 1993, as adopted herein by reference and any fee schedule adopted or revised by the Weare Building Inspector.”
- 4.3.5 Delete Section 108.4 (page 6, seventh, eighth and ninth lines) and insert:  
“Penalties: Any person who violates any provision of this code or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person and shall be subject to a civil penalty not to exceed Two Hundred and Seventy Five Dollars (\$275.00) for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the Town that he is in violation, which ever is the earlier, all pursuant to New Hampshire RSA 676:17.”
- 4.3.6 Delete Section 108.5 (page 6, ninth and fourteenth lines) and insert:  
“Unlawful Continuance: Any person who shall continue any work in or about the structure after having been serviced with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than the amounts prescribed in Section 116.4.”
- 4.3.7 Section 306.6.1 (page 14, third line) insert: Forty-eight inches (48”).
- 4.3.8 *Adoption of the International Plumbing Code/2000 Edition in March 2001.*
- 4.3.9 *Adoption of “Hot water tempering valves required on all domestic hot water systems installed in the Town of Weare”, on September 22<sup>nd</sup>, 2005.*
- 4.3.10 *State of New Hampshire Adoption of International Plumbing Code/2009 Edition as of April 1, 2010 supersedes all previous codes.*

4.4 ADOPTION OF THE NATIONAL FIRE PREVENTION CODE 1996

4.4.1 That a certain document, three (3) copies of which are on file in the office of the Town Clerk, in the office of the Board of Selectmen, and in the office of the Building Inspector of the Town of Weare, being marked and designated as the “The BOCA National Fire Prevention Code, Tenth Edition, 1996” as published by the Building Officials and Code Administrators International, Inc., be and hereby adopted as the Fire Prevention Code of the Town of Weare, in the State of New Hampshire; for the control of buildings, structures and premises as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Fire Prevention Code, are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 4.4.2 of this ordinance.

4.4.2 Additions, Insertions and Changes: That the following sections are hereby revised as follows:

4.4.3 Section F-101.1 insert: Town of Weare, New Hampshire.

4.4.4 *Adoption of the International Fire Code/2000 Edition in March 2001.*

4.4.5 *Adoption of NFPA 13 in March 2002.*

4.4.6 *State of New Hampshire Adopted NFPA 2003/Edition.*

4.5 ADOPTION OF THE INTERNATIONAL MECHANICAL CODE 1996

4.5.1 That a certain document, three (3) copies of which are on file in the office of the Town Clerk, in the office of the Board of Selectmen, and in the office of the Building Inspector of the Town of Weare, being marked and designated as “The International Mechanical Code/1996 Edition” as published by the Building Officials and Code Administrators International, Inc. be and is hereby adopted as the Mechanical Code of the Town of Weare, New Hampshire; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Mechanical Code are hereby referred to, adopted and made a part hereof, as is fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 4.5.2 of this ordinance.

4.5.2 Additions, Insertions and Changes: That the following sections are hereby revised as follows:

4.5.3 Section 101.1 (page 1, second line) insert: Town of Weare, New Hampshire.

4.5.4 Section 106.5.2 (page 4, third line) insert: “That fee schedule adopted as part of the adoption of reference of the BOCA Basic Building Code, Section 4.1.3 as set forth herein, and as amended by the Weare Building Inspector.”

- 4.5.5 Section 106.5.3 (page 4) insert: “That fee schedule adopted as part of the adoption by reference of the BOCA Basic Building Code, 1993, Section 4.1.3 as set forth herein, and as amended by the Weare Building Inspector.”
- 4.5.6 Section 108.4 (page 5) insert: “Penalties: Any person who violates any provision of this code, or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor if a natural person or guilty of a felony if any other person, and shall be subject to a civil penalty not to exceed Two Hundred and Seventy Five Dollars (\$275.00) for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the Town that he is in violation, whichever is the earlier, all pursuant to New Hampshire RSA 676:17.
- 4.5.7 *Adoption of the International Mechanical Code/2000 Edition in March 2001.*
- 4.5.8 *State of New Hampshire Adoption of International Mechanical Code/2009 Edition as of April 1, 2010 supersedes all previous codes.*
- 4.6 ADOPTION OF THE CABO ONE AND TWO FAMILY DWELLING CODE 1995
- 4.6.1 That a certain document, three (3) copies of which are on file in the office of the Town Clerk, in the office of the Board of Selectmen, and in the office of the Building Inspector of the Town of Weare, being marked and designated as “The CABO One and Two Family Code, 1995 Edition, published by the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, the Southern Building Code Congress International, and the Counsel of American Building Officials”; be and is hereby adopted for the Town of Weare, in the State of New Hampshire; for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said CABO One and Two Family Dwelling Code, 1995 Edition, are hereby referred to, adopted and made a part hereof as is fully set out in this ordinance.
- 4.6.2 Additions, Insertions and Changes: That the following Sections are hereby revised:
- 4.6.2.1 Section 111.2 Permit Fees: Change to read: Permit fees shall be a flat fee schedule adopted as part of the adoption by reference of the BOCA Basic Building Code, as set forth herein, Section 4.1.3, and as amended by the Weare Building Inspector.
- 4.6.2.2 Section 112.1 Plans Required: When required by the Building Official, plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Plans shall include a certified plot plan drawn to scale showing the location of all easements, drainage facilities, adjacent grades, property lines, the proposed building and of every existing building on the property before the foundation is placed.
- 4.6.3 *Adoption of International Residential Code/2000 Edition in March 2001.*
- 4.6.4 *State of New Hampshire Adoption of International Residential Code/2009 Edition as of April 1, 2010 supersedes all previous codes.*

4.7 ADOPTION OF THE NATIONAL ELECTRICAL CODE, 1999

4.7.1 That a certain document, three (3) copies of which are on file in the office of the Town Clerk, in the office of the Board of Selectmen, and in the office of the Building Inspector of the Town of Weare, being marked and designated as “The National Electrical Code, 1999 Edition”, published by the National Fire Protection Association, is hereby adopted by the Town of Weare, in the State of New Hampshire; for the control of buildings and structures as provisions, penalties, conditions and terms of said National Electrical Code, 1999 Edition, are hereby referred to, adopted and made a part hereof as is fully set out in this ordinance.

4.7.2 *Adoption of International Electrical Code/2000 Edition in March 2001.*

4.7.3 *State of New Hampshire Adoption of International Electrical Code/2009 Edition as of April 1, 2010 supersedes all previous codes.*

4.8 ADOPTION OF NFPA 13, 13D, & 13R in March 2005.

NFPA 13: Installation of Sprinkler Systems 2002; NFPA 13D: Standard for the Installation of Sprinkler Systems in One & Two-Family Dwellings and Manufactured Homes; NFPA 13R: Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height.

**ARTICLE 5**

**STREET NUMBERING ORDINANCE**

5.1 PREAMBLE

Acting upon the authority granted pursuant to the provisions of New Hampshire RSA 231:133-a, the Town of Weare, New Hampshire, Board of Selectmen, hereinafter referred to as the Board, adopted the following Ordinance, establishing a procedure for administration and enforcement or uniform addressing system for residential, multi-family, and commercial structures within the Town of Weare, New Hampshire.

5.2 PURPOSE

The standards set forth in this Ordinance are made for the purpose of promoting the public health, safety and general welfare by providing the means for permanent identification of residential, multi-family, and commercial structures within the Town.

5.3 OBJECTIVES

5.3.1 To provide a means for expedient emergency response by fire, police, rescue and other emergency services.

5.3.2 To establish a property location that will serve as a mail delivery address.

5.3.3 To assist in the proper delivery of utility and other delivery services.

5.3.4 To provide property owners with a convenient and systematic means of identifying property.

## 5.4 NUMBERING SYSTEMS

5.4.1 The Board shall, under the provisions of RSA 231:133-a, assign all residential, multi-family, and commercial structures existing as of the time of adoption of this Ordinance, a street number and furthermore, shall assign to vacant properties, numbers to be held in reserve for future use. Streets built subsequent to the adoption of this Ordinance will be assigned numbers by the Building Department at the time of approval. Prior to the actual assignation or alteration of numbers along any way or portion of any way, the governing body shall hold a public hearing for which ten (10) days notice has been given, by posting in two (2) public places in the municipality and by first class mail to all owner(s) of property being numbered or renumbered, as indicated by Town records.

5.4.2 A uniform street numbering system has been developed for all primary buildings based upon the following process:

5.4.2.1 For purposes of establishing street numbers, a street shall be considered any access way, whether public or private.

5.4.2.2 As much as possible the starting point is the end of the Street nearest the center of Weare.

5.4.2.3 All primary buildings on the left side of the street beginning at its starting point will have odd numbers.

5.4.2.4 All primary buildings on the right side of the street beginning at its starting point will have even numbers.

5.4.2.5 One odd and one even number will be assigned to approximately fifty (50) foot intervals of frontage on the street as measured from the starting point of each street.

5.4.2.6 Numbers will be assigned by determining the point at which the main vehicular access (or the main pedestrian access if no vehicular access is provided) to the primary building.

## 5.5 ADMINISTRATION AND ENFORCEMENT

5.5.1 The Building Department shall be named as the administrator of this Ordinance and shall be responsible for establishing the use of reserve numbers and shall have full authority to enforce the provisions herein.

5.5.2 Owners of residential, multi-family and commercial structures built or expanded subsequent to this Ordinance shall procure their number assignment from the Building Department. Number assignment is required prior to the issuance of a Building Permit and shall be displayed during construction. Numbers shall be displayed prior to the issuance of a Certificate of Occupancy.

## 5.6 NUMBERING REQUIREMENTS

- 5.6.1 Parties Affected: All structures, residential, multi-family and commercial shall be required to display the assigned street number in the manner described in this issue.
- 5.6.2 Visibility: Street numbers shall be displayed so as to be conspicuously visible from the street on which the number is assigned.
- 5.6.3 Number Type: All numbers shall be displayed in Arabic form (0,1,2,3,4,5,6,7,8,9) three (3) inches high and two (2) inches wide.
- 5.6.4 NUMBER LOCATION
- 5.6.4.1 Structures visible from the street: Where the structure is visible from the road and at such a distance that numbers are legible from the road, the number shall be affixed to the structure. Numbers shall be a minimum of three (3) inches high and two (2) inches wide and may be mounted either horizontally or vertically. They shall have contrasting colors.
- 5.6.4.2 Structures not visible from the street: Where a structure is not visible from the street or is otherwise situated to make number display on the building ineffective, the number shall be displayed at the access entrance. Numbers may be combined with property or business identification signs. Where signs are perpendicular to the street, numbers shall be displayed on both sides of the sign. Numbers shall be a minimum of three (3) inches high and two (2) inches wide and may be mounted either horizontally or vertically. They shall have contrasting colors.
- 5.6.4.3 Mailboxes: Numbers of a minimum of three (3) inches in height and two (2) inches wide shall be affixed to both sides of the mailbox serving the structure. When the mailbox is clustered with other mailboxes the numbers shall be placed on the front of the mailbox. The size shall be one and one half (1 ½) inches high and one (1) inch wide.
- 5.6.4.4 Unauthorized building numbers prohibited: No person shall affix or allow to remain upon any building in the Town of Weare, New Hampshire, any different number from the one designated by this Ordinance, with the exception of dates affixed for historical purposes.
- 5.6.5 Penalty: The owner of any structure existing as of the date of this Ordinance who shall fail to procure and affix street numbers as assigned by the Board within ninety (90) days from the date of Effective Date: March 12, 1996, of this Ordinance, or who shall display an unauthorized number after ninety (90) days from the Effective Date shall be subject to a fine of not more than Two Hundred and Seventy Five dollars (\$275.00) per RSA 676:17, for each day of non-compliance. Fines shall begin to accrue upon the issuance of a written Notice of Violation to the owner, and end at such time as the violation ceases.
- 5.6.6 Appeals: Any person aggrieved by this Ordinance shall have the right to file a written petition within twenty (20) days of the receipt of number assignment. Petitions shall be filed with the Board and a hearing shall be held within thirty (30) days of the receipt of such petition.

5.6.7      Effective date: This Ordinance shall take effect, Town Meeting, March 12, 1996.

5.6.8      Amendments: This Ordinance may be amended as provided under any and all applicable chapters of the Revised Statutes Annotated of New Hampshire.

Adopted:      September 1986  
Revised:      March 1987  
Revised:      March 1989  
Revised:      March 1991  
Revised:      January 1992  
Revised:      March 1992  
Revised:      March 1994  
Revised:      March 1995  
Adopted Article 5 and Revised: March 1996  
Revised:      April 1997  
Revised:      March 2000  
Revised:      November 2000  
Revised:      March 2001  
Revised:      May 2004  
Revised:      September 2005  
Amended:     April 2008  
Amended:     November 2008  
Amended:     September 2010

A True Copy, Attest \_\_\_\_\_ Clerk of Weare, NH  
Dated 9/23/10